

AUG 29 2005

Colin M. Thompson, Esq.  
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PMB 917 Box 10001  
Saipan, Mariana Islands 96950  
Telephone: (670) 233-0777  
Facsimile: (670) 233-0776

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

*Attorney for Century Insurance Company Ltd. and  
Hongkong Entertainment Investment Ltd.*

**IN THE DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS**

**ELENITA S. SANTOS and  
ANGEL SANTOS,**

**Plaintiffs,**

**vs.**

**HONGKONG ENTERTAINMENT  
(OVERSEAS) INVESTMENT LTD .dba,  
TINIAN DYNASTY HOTEL & CASINO and  
CENTURY INSURANCE CO., LTD.**

**Defendants.**

**Civil Action No. 04-0030**

**DECLARATION OF COUNSEL  
IN SUPPORT OF MOTION  
FOR PROTECTIVE ORDER**

**Date : SEP - 1 2005  
Time : 9:00 a.m.  
Judge: Hon. Alex R. Munson**

I, Colin M. Thompson, do declare that:

1. I am the attorney of record for Defendant, Century Insurance Co., Ltd and Hongkong Entertainment Investment Ltd. in this case.

2. I make this declaration based on my personal knowledge and I am competent to testify as to the matters set forth.

3. Attached to this declaration as Exhibit "A" is a true and correct copy of the Deposition Notice for Hongkong Entertainment Investment Ltd. dba Tinian Dynasty Hotel and Casino served on August 11, 2005.

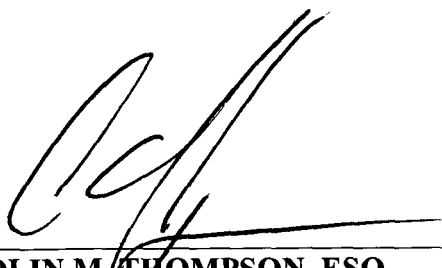
1 4. Attached to this declaration as Exhibit "B" is a true and correct copy of the Deposition  
2 Notice for Century Insurance Co., Ltd served on August 12, 2005.

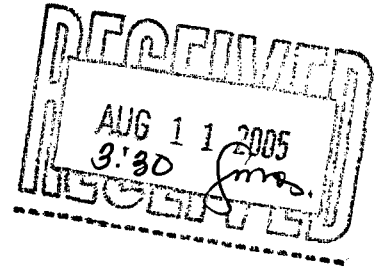
3 5. The cut-off date for serving of discovery was on August 1, 2005.

4 6. Plaintiff did not seek leave to amend the scheduling order prior to serving the attached  
5 Notices of Deposition.

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7 I declare by penalty of perjury under the laws of the United States of America that the  
8 foregoing is true and correct to the best of my knowledge.  
9

10 Dated this 27 day of August, 2005.

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14 **COLIN M. THOMPSON, ESQ**  
15 Attorney for Century Insurance Co., Ltd.  
16 and Hongkong Entertainment Investment Ltd.  
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1 **DAVID G. BANES, Esq.**  
2 **O'Connor Berman Dotts & Banes**  
3 **Second Floor, Nauru Building**  
4 **P.O. Box 501969**  
5 **Saipan, MP 96950**  
6 **Telephone No. (670) 234-5684**  
7 **Facsimile No. (670) 234-5683**

8 **Attorneys for Plaintiffs Elenita A. Santos and Angel C. Santos**

9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE NORTHERN MARIANA ISLANDS**

11 **ELENITA A. SANTOS and**  
12 **ANGEL C. SANTOS,**

13 **Plaintiffs,**

14 **vs.**

15 **HONGKONG ENTERTAINMENT**  
16 **(OVERSEAS) INVESTMENTS LIMITED**  
17 **dba TINIAN DYNASTY HOTEL &**  
18 **CASINO, and CENTURY INSURANCE**  
19 **CO. LIMITED,**

20 **Defendants.**

) **CIVIL CASE NO. 04-0030**  
)  
)  
)

) **NOTICE OF DEPOSITION FOR**  
) **TINIAN DYNASTY HOTEL & CASINO**  
)  
)

21 **TO: HONGKONG ENTERTAINMENT (OVERSEAS) INVESTMENTS LIMITED**  
22 **dba TINIAN DYNASTY HOTEL & CASINO**

23 PLEASE TAKE NOTICE that Plaintiffs will take the deposition of Defendant Tinian  
24 Dynasty Hotel and Casino at 9:30 a.m. on August 29, 2005 also at the Offices of O'Connor  
25 Berman Dotts & Banes pursuant to Rule 30 of the Federal Rules of Civil Procedure. Pursuant  
26 to Rule 30(b)(6) of the Fed. R. Civ. Pro., Defendant Tinian Dynasty Hotel & Casino shall  
27 designate one or more officers, directors, managing agents, or other persons who consent to  
28 testify on its behalf about the following subjects:



COPY

1           1.     Mrs. Santos' fall at the stairway which is the subject of this lawsuit and Tinian  
2 Dynasty's investigation of the same.

3           2.     Tinian Dynasty's safety procedures and practices.

4           3.     Any prior incidences of a person slipping and falling anywhere on the premises  
5 of Tinian Dynasty including but not limited to any stairways.

6           4.     Tinian Dynasty's safety record.

7           5.     Tinian Dynasty's financial income and assets and liabilities.

8           6.     Defendants' affirmative defenses, including but not limited to Defendants'  
9 assertion that Mrs. Santos contributed to her own fall and/or injuries.

10          7.     Tinian Dynasty's compliance with the Uniform Building Code especially as to  
11 the stairs and stairways in general and the stairs where Mrs. Santos fell.

12          8.     The facts and circumstances alleged in the Second Amended Complaint.

13          9.     Any basis for contesting Plaintiffs' version of how she fell or the extent of her  
14 injuries.  
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18           Said deposition is noticed pursuant to Rule 30 of the Federal Rules of Civil Procedure,  
19 and said deponent shall provide documents and give testimony regarding all matters set forth in  
20 the Subpoena Ad Testificandum and Subpoena Duces Tecum.

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22           This deposition shall be upon oral examination before an officer authorized by law to  
23 administer oaths. The examination will continue from day to day until completed. You are  
24 invited to attend and cross-examine.

25  
26           Pursuant to Rule 30(b)(2) of the Federal Rules of Civil Procedure, you are hereby  
27 notified that the deposition will be recorded by a cassette tape recorder. Upon completion of the  
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1 deposition, the tape recording shall be delivered to a secretarial service, which shall transcribe  
2 the deposition from the tape recording. The tape recording will be made available to the  
3 deponent by the secretarial service in connection with the review and signing of the deposition  
4 by the deponent. Upon completion of such review and signing, the tape recording will not be  
5 filed with the Court, it will be returned to the undersigned for reuse.  
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7  
8 Dated: August 11, 2005.

O'CONNOR BERMAN DOTTS & BANES  
Attorneys for Plaintiffs Elenita A. Santos and  
Angel C. Santos

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11 By:   
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DAVID G. BANES  
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**Attorneys for Plaintiffs Elenita A. Santos and Angel C. Santos**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS**

**ELENITA A. SANTOS and  
ANGEL C. SANTOS,**

**Plaintiffs,**

**vs.**

**HONGKONG ENTERTAINMENT  
(OVERSEAS) INVESTMENTS LIMITED  
dba TINIAN DYNASTY HOTEL &  
CASINO, and CENTURY INSURANCE  
CO. LIMITED,**

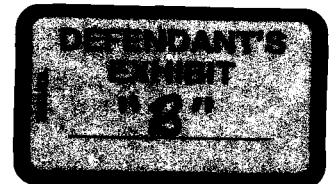
**Defendants.**

) **CIVIL CASE NO. 04-0030**  
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) **NOTICE OF DEPOSITION FOR**  
) **CENTURY INSURANCE CO., LTD.**  
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**TO: CENTURY INSURANCE CO., LTD. ("Century Insurance")**

PLEASE TAKE NOTICE that Plaintiffs will take the deposition of Defendant Century Insurance Company, Ltd. at 3:30 p.m. on August 29, 2005 also at the Offices of O'Connor Berman Dotts & Banes pursuant to Rule 30 of the Federal Rules of Civil Procedure. Pursuant to Rule 30(b)(6) of the Fed. R. Civ. Pro., Defendant Tinian Dynasty Hotel & Casino shall designate one or more officers, directors, managing agents, or other persons who consent to testify on its behalf about the following subjects:



**ORIGINAL**

1           1.     Mrs. Santos' fall at the stairway which is the subject of this lawsuit and Century  
2 Insurance's investigation of the same.

3           2.     Any prior incidences of a person slipping and falling anywhere on the premises  
4 of Tinian Dynasty including but not limited to any stairways.

5           3.     Defendants' affirmative defenses, including but not limited to Defendants'  
6 assertion that Mrs. Santos contributed to her own fall and/or injuries.

7           4.     The facts and circumstances alleged in the Second Amended Complaint.

8           5.     Any basis for contesting Plaintiffs' version of how she fell or the extent of her  
9 injuries.  
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11  
12           Said deposition is noticed pursuant to Rule 30 of the Federal Rules of Civil Procedure.  
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15           This deposition shall be upon oral examination before an officer authorized by law to  
16 administer oaths. The examination will continue from day to day until completed. You are  
17 invited to attend and cross-examine.

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20 notified that the deposition will be recorded by a cassette tape recorder. Upon completion of the  
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22 the deposition from the tape recording. The tape recording will be made available to the  
23 deponent by the secretarial service in connection with the review and signing of the deposition  
24 by the deponent. Upon completion of such review and signing, the tape recording will not be  
25 filed with the Court, it will be returned to the undersigned for reuse.  
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1 Dated: August 21, 2005.

O'CONNOR BERMAN DOTTS & BANES  
Attorneys for Plaintiff Elenita A. Santos and  
Angel C. Santos

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3  
4 By: 

5 DAVID G. BANES

6 CNMI Bar ID No. F0171

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